

**Amendment No. 1 to SB1952**

**Kurita  
Signature of Sponsor**

**AMEND Senate Bill No. 1952\***

**House Bill No. 2201**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 36, Chapter 1, Part 1, is amended by inserting the following as a new, appropriately designated section thereto:

(a) If the department has custody of a child under the circumstances described in § 36-1-102(1)(A)(ii), and if that child has been placed in foster care, and if the foster parent or parents of such a child, who are qualified and are seeking to adopt such a child, petition to have that child declared to have been abandoned pursuant to a legal proceeding in a court of competent jurisdiction, then the department shall be required to determine, within thirty (30) days of having received notice of such a proceeding, whether the person or persons alleged to have abandoned the child have in fact abandoned the child pursuant to § 36-1-102(1)(A)(ii). If the department makes such a determination, the department shall not intervene or oppose the termination of parental rights of the foster parent or parents in such legal proceedings or otherwise oppose or interfere with proposed adoption of such a child by a foster parent or parents qualified and seeking to adopt such a child.

(b) For purposes of this section, foster parent or parents shall be deemed qualified to petition to have a child declared to have been abandoned or qualified to adopt a child if the foster parent or parents:

(1) Meet the qualifications provided in § 36-1-115(g), except that the foster parent or parents shall not be required to obtain termination or surrender of all parental or guardianship rights to the child prior to filing such petition; and

(2) Have been the subject of a home study approving such foster parent or parents as prospective adoptive parents.

SECTION 2. Tennessee Code Annotated, Title 37, Chapter 2, Part 4, is amended by inserting the following as a new, appropriately designated section thereto:

The department of children's services shall establish an independent commission, composed of not more than one (1) employee of the department and no fewer than six (6) members of the general public, no fewer than three (3) of whom shall have been foster parents or members of a foster care review board. The commission is charged with investigating and identifying the ways that foster care in this state can be improved, that additional foster parents can be identified, qualified and trained, that the length of time children remain in foster care can be reduced, and that the rapidity and certainty of the adoption or permanent placement of children in foster care can be enhanced.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.